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Laura L. Frieko (Signature)

FROM: Laura L. Frieko (Typed or printed name of person signing Certificate)**Fax No. (513) 626-1355****Phone No. (513) 626-2721**

Listed below are the item(s) being submitted with this Certificate of Transmission:**

- 1) Information Disclosure Statement, and one copy for authorization to charge fee to Deposit Account;
- 2) PTO Form PTO/SB08

Number of Pages Including this Page: 8**Inventor(s): Kaczvinsky, Jr., et al.****S.N.: 10/696,682****Filed: 10/29/2003****Conf. No.: 7782****Case: 9401****Comments:**

****Note:** Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.

P&G Case 9401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
Joseph Robert Kaczvinsky, Jr. : Confirmation No. 7782
Serial No. 10/696,682 : Group Art Unit
Filed October 29, 2003 : Examiner

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AUG 03 2004

For Personal Care Composition Containing A Detergent Surfactant, An Antidandruff
Component, and Ketoamide Surfactants

INFORMATION DISCLOSURE STATEMENT

OFFICIAL

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ 37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☒ **37 C.F.R. §1.97(b)(3)** - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3. ☐ **37 C.F.R. §1.97(b)(4)** - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4. ☐ **37 C.F.R. §1.97(c) with fee payment** - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

5. ☐ **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case).**

This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ (1) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

☐ (2) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. _____, U.S. Patent Application Serial No. ___, filed ___. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

☐ (3) Copies of all said documents, except Cite Numbers _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (5) Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By Laura L. Frieko
Laura L. Frieko
Attorney for Applicants
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August 3, 2004
Customer No. 27752

PTO/SB08A (08-03)

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COMPLETE IF KNOWN

(use as many sheets as necessary)

Application Number	10/696,682
Confirmation Number	7782
Filing Date	10/29/2003
First Named Inventor	Joseph Robert Kaczvinsky, Jr.
Group Art Unit	
Examiner Name	
Attorney Docket Number	9401

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number + Kind Code ² (if known)			
	01	4,835,149	05/30/1989	Burke et al.	
	02	4,861,583	08/29/1989	Sramek	
	03	5,104,645 A	04/14/1992	Cardin et al.	
	04	5,614,180 A	03/25/1997	Chung	
	05	5,624,666 A	04/29/1997	Coffindaffer et al.	
	06	5,641,480 A	06/24/1997	Vermeer	
	07	5,702,690 A	12/30/1997	Dubief et al.	
	08	5,733,536 A	05/31/1998	Hill et al.	
	09	5,756,076 A	05/26/1998	Cervantes et al.	
	10	6,156,297 A	12/05/2000	Maurin et al.	
	11	6,333,027 B1	12/25/2001	Hopkins et al.	
	12	6,455,508 B1	09/24/2002	Ramasamy et al.	
	13	6,481,601 B1	10/08/2002	Stoddart et al.	
	14	6,475,499 B2	11/05/2002	Maubru et al.	
	15	6,489,286 B1	12/03/2002	Luckenbach et al.	
	16	6,538,101 B2	03/25/2003	Coates et al.	

FOREIGN PATENT DOCUMENT								
EXAMINER INITIALS*	Cite No. ¹	Country Code ²	Number ³	Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁵
EXAMINER						DATE CONSIDERED		

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-latter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

PTO-SB08
(Revised for P&G use 10/8/2003)